

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/973,535 02/05/98 GAILEY

R 3542-287

000826 QM12/1013  
ALSTON & BIRD LLP  
P O DRAWER 34009  
CHARLOTTE NC 28234-4009

 EXAMINER

STRYJEWSKI, W

ART UNIT	PAPER NUMBER
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3741

**DATE MAILED:**

10/13/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

<b>Notice of Abandonment</b>	Application No. <b>08/973,535</b>	Applicant(s) <b>Gailey et al</b>
	Examiner <b>William Stryjewski</b>	Group Art Unit <b>3741</b>

This application is abandoned in view of:

applicant's failure to timely file a proper response to the Office letter mailed on 4/5/95.

A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.

A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.  
(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC)).

No response has been received.

applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.

The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.

The submitted issue fee of \$ \_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_.

The issue fee has not been received.

applicant's failure to timely file new formal drawings as required in the Notice of Allowability.

Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) were received on \_\_\_\_\_.

The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.

No proposed new formal drawings have been received.

the express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.

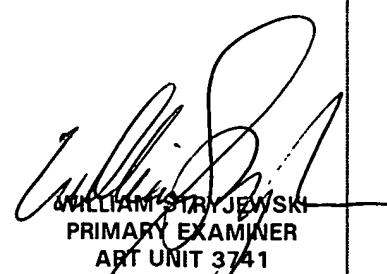
the letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

the letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

the decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.

the reason(s) below:

*The examiner notified the applicant, which stated that a CPA was filed in this case. In any case the parent application is abandoned.*



WILLIAM STRYJEWSKI  
PRIMARY EXAMINER  
ART UNIT 3741